



DOCKET NO.: C1068.70005US00

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Burger et al.
Serial No.: 09/675,438
Confirmation No.: 9912
Filed: September 28, 2000
For: PORTABLE ELECTRONIC AUTHORIZATION SYSTEM
AND METHOD
Examiner: Pierre E. Elisca
Art Unit: 3621

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 20th day of December, 2004.

Pamela Smith-Victor

Pamela Smith-Victor

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

12/23/2004 RFEKADU1 00000034 09675430

The Applicant would like to bring to the Examiner's attention the following co-pending applications that may contain subject matter related to this application:

	<u>Serial No.</u>	<u>Filing Date</u>	<u>Inventor(s)</u>
C1068.70005US01	10/987,590	November 12, 2004	Burger et al.
C1068.70006US00	09/968,628	October 1, 2001	Burger et al.
C1068.70006US01	10/954,050	September 29, 2004	Burger et al.
C1068.70009US00	10/392,319	March 19, 2003	Burger et al.
C1068.70009US01	10/954,810	September 30, 2004	Burger et al.
C1068.70009US02	10/955,151	September 30, 2004	Burger et al.
C1068.70010US01	10/969,811	October 20, 2004	Burger et al.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Conf. No.: 9912

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
Burger et al., Applicants

By: 

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Docket No.: C1068.70005US00

Date: December 20, 2004

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FORM PTO-1449/A and B (Modified 9/2000) INFORMATION DISCLOSURE STATEMENT BY APPLICANT				APPLICATION NO.: 09/675,438	ATTY. DOCKET NO.: C1068.70005US00
				FILING DATE: September 28, 2000	CONFIRMATION NO.: 9912
				APPLICANT: BURGER, Todd O. et al.	
				GROUP ART UNIT: 3621	EXAMINER: Pierre E. Elsca
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U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
*	5,777,903			Poisenka et al.	07-07-1998
*	6,334,121			Primeaux et al.	12-25-2001
*	6,545,605			Van Horn et al.	04-08-2003

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/Country	Number	Kind Code			

OTHER ART – NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)

EXAMINER:	DATE CONSIDERED:
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. ___, filed ___, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]